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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,447	10/17/2003	Cory O. Nykoluk	26/1145US(0.1)	1563

7590 09/03/2004  
Clyde L. Smith  
HOWELL & HAERKAMP, L.C.  
Suite 1400  
7733 Forsyth Boulevard  
St. Louis, MO 63105

EXAMINER

MAI, TRI M

ART UNIT	PAPER NUMBER
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3727

DATE MAILED: 09/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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SEP 20 2004  
TECHNOLOGY CENTER R3700

# Office Action Summary

Application No.

10/688,447

Applicant(s)

NYKOLUK ET AL.

Examiner

Tri M. Mai

Art Unit

3727

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No. \_\_\_\_ Mail Date 12/29/03
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the release mechanism and the locking mechanism in claim 10 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Double Patenting***

2. Claims 1-29 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-14 of U.S. Patent No. 6,651,791. Although the

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conflicting claims are not identical, they are not patentably distinct from each other because It would have been obvious to one of ordinary skill in the art to provide the claims in the present application as taught by claims 1-14 of U.S. Patent No. 6,651,791.

***Claim Rejections - 35 USC § 112***

3. Claims 10 and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear what is release mechanism and the locking mechanism in claim 10.

Regarding claim 21, "the arm portion ...abut the pivot axis" is confusing. "axis" refers to an imaginary line only.

***Claim Rejections - 35 USC § 102/103***

4. Claims 1-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Williams et al (4538709). Williams teaches a towing member having an arm portion, a towing handle, a pivot mechanism 50a having a center bore passing through as claimed.

Regarding claim 10, note the mechanisms 52 and going through the pivot mechanism.

Regarding claim 15, the ends of portions 50 and 50b are flat as shown in Fig. 10.

Regarding claim 26, the pivot pin 50a is entirely inside the arm portion and the towing handle in the position in Fig. 10.

5. Claims 1-4, 6, 7, 11-14, 17-24, and 26-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Liang (5464080). Liang teaches a handle with an arm portion, a towing handle and a pivot mechanism in Fig. 2. Liang teaches a handle with an arm portion, a towing handle and a pivot mechanism in Fig. 2.

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6. Claims 1-12, 14-16, 18-23, and 26-29 are rejected under 35 U.S.C. 102(a) as being anticipated by Chen (6434790). Chen teaches a handle with an arm portion, a towing handle and a pivot mechanism in Fig. 3. Bloom teaches a handle with an arm portion, a towing handle and a pivot mechanism in Fig. 2.

7. Claims 13, 17, and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen in view of Dinnendahl (3496795). Chen meets all claimed limitations except for the pin having a bore. Dinnendahl teaches that it is known in the art provide a hinge pin with a bore. It would have been obvious for one of ordinary skill in the art to provide a pin with a bore to save material.

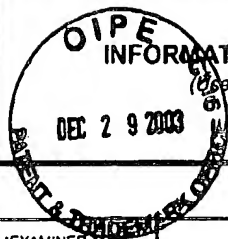
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tri M. Mai whose telephone number is (703)308-1038. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lee W Young can be reached on (703)308-2572. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tri M. Mai



ATTY DOCKET NO.  
26/1145US (0.1)SERIAL NO. 10/688,447  
TBA

Nykoluk, et al.

FILING  
10/17/03GROUP  
TBA

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
T.M.	A	387,198	12/09/97	Lehmann, et al.			
	B	395,361	06/23/98	Zoints, et al.			
	C	1,616,632	02/08/27	Mastrantonio			
	D	2,722,137	11/01/55	Russell			
	E	3,401,951	09/17/68	Bloom			
	F	3,496,795	02/24/70	Dinnendahl			
	G	3,606,372	09/17/68	Browning			
	H	3,799,568	03/26/74	Hager			
	I	4,368,835	01/18/83	Murphy			
	J	4,538,709	09/03/85	Williams			
T.M.	K	4,616,379	10/14/86	Lio			

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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
I								
T.M.	L	090221299	12/05/01	Taiwan				
	M	WO 98/07344	02/26/98	PCT				
	N	WO 01/52687	07/26/01	PCT				
T.M.	O	WO 03/053186	07/03/03	PCT				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


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09/01/04

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



## INFORMATION DISCLOSURE CITATION

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ATTY DOCKET NO.

26/1145US (0.1)

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10/17/03

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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
T.M.	P	4,621,404	11/1986	Browing			
	Q	4,838,396	06/13/89	Krenzel			
	R	5,002,304	03/26/91	Carrigan, Jr.			
	S	5,048,649	09/17/91	Carpenter, et al.			
	T	5,197,579	03/30/93	Bieber, et al.			
	U	5,207,440	05/04/93	Liang			
	V	5,323,887	06/28/94	Scicluna, et al.			
	W	5,328,122	07/12/94	Yamaguchi			
	X	5,330,037	07/19/94	Wang			
	Y	5,339,934	08/23/94	Liang			
T.M.	Z	5,353,900	10/11/94	Stilley			

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## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

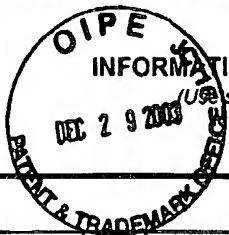

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ATTY DOCKET NO. 26/1145US (0.1)		SERIAL NO. 10/688,447 TBA
Nykoluk, et al.		
FILING 10/17/03	GROUP TBA	

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T.N.	AA	5,429,317	07/04/95	Yamaguchi			
	BB	5,431,428	07/11/95	Marchwiak, et al.			
	CC	5,464,080	11/07/95	Liang			
	DD	5,464,081	11/07/95	Zwanzig			
	EE	5,469,945	11/28/95	Jserng			
	FF	5,491,872	02/20/96	Tserng			
	GG	5,497,865	03/12/96	Yun-Pi			
	HH	5,547,053	08/20/96	Liang			
	II	5,564,538	10/15/96	Sadow			
	JJ	5,615,757	04/01/97	Chen			
T.N.	KK	5,630,521	05/20/97	Waddell, et al.			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER T.N.	DATE CONSIDERED 09/01/04
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## INFORMATION DISCLOSURE CITATION

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TBA

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T.M.	LL	5,647,095	07/15/97	Takimoto			
	MM	5,689,854	11/25/97	Wang			
	NN	5,690,196	11/25/97	Wang			
	OO	5,706,921	01/13/98	Wang			
	PP	5,713,441	02/03/98	Chen			
	QQ	5,722,118	03/03/98	Hansen, et al.			
	RR	5,749,503	05/12/98	Wulf, et al.			
	SS	5,752,415	05/19/98	Tsal			
	TT	5,769,194	06/23/98	Chang			
	UU	5,813,504	09/29/98	Iny, et al.			
T.M.	VV	5,855,408	01/05/99	Rickabus			

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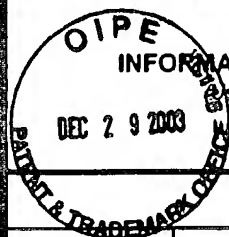

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09/04/04

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26/1145US (0.1)SERIAL NO. 10/688,447  
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Nykoluk, et al.

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TBA

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T.H.	WW	5,865,281	02/02/99	Wang			
	XX	5,884,362	03/23/99	Tsai			
	YY	5,890,570	04/06/99	Sadow			
	ZZ	5,893,495	04/13/99	Godshaw, et al			
	AAA	5,901,822	05/11/99	Tu			
	BBB	5,908,093	06/01/99	Miyoshi			
	CCC	5,934,425	08/10/99	Sadow			
	DDD	5,943,936	08/31/99	Deliman, et al.			
	EEE	5,984,154	11/16/99	Scicluna			
	FFF	5,996,177	12/07/99	Cheng			
T.H.	GGG	6,009,598	01/04/00	Chang			

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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
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## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Docket Number (Optional)

26/1145US (0.1)

Application Number

TBA

10/688,417

Applicant(s)

Nykoluk, et al.

Filing Date

10/17/03

Group Art Unit

TBA

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T.M.	HHH	6,032,771	03/07/00	Pedrin			
	III	6,041,900	03/28/00	Sadow, et al.			
	JJJ	6,059,301	05/09/00	Skarnulis			
	KKK	6,179,101	01/30/01	Lin			
	LLL	6,179,176	01/30/01	Saggese, et al.			
	MMM	6,193,033	02/27/01	Bogert			
	NNN	6,237,734	05/29/01	Chen			
	OOO	6,279,706	08/28/01	Mao			
	PPP	6,298,964	10/09/01	Sadow			
	QQQ	6,301,746	10/16/01	Myers, et al.			
T.M.	RRR	6,317,924	11/20/01	Gallager			

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	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


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DATE CONSIDERED

09-01-04

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## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Docket Number (Optional)

26/11451S (0.1)

Application Number

10/488,447  
TBA

Applicant(s)

Nykoluk, et al

Filing Date

10/17/2003

Group Art Unit

TBA

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*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
T.M.	SSS	6,332,242	12/25/01	Chen			
	TTT	6,434,790	08/20/02	Chen			
	UUU	6,464,245	10/15/02	Miles			
	VVV	6,508,344	01/2003	Lu			
	WWW	6,530,459	03/2003	Lu			
	XXX	2003/0085089	05/08/03	Lin, et al.			
	YYY	2003/0079950	05/01/03	Lin, et al.			
	ZZZ	2002/0050429	05/02/02	Nykoluk, et al.			
	AAAA	2003/0000785	01/02/03	Müller, et al.			
	BBBB	2003/0132079	07/17/03	Bellini			
T.M.	CCCC	D463,124 S	09/24/02	Godshaw, et al.			

## FOREIGN PATENT DOCUMENTS

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


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09-01-04

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**Notice of References Cited**Application/Control No.  
10/688,447Applicant(s)/Patent Under  
Reexamination  
NYKOLUK ET AL.Examiner  
Tri M. MaiArt Unit  
3727

Page 1 of 1

**U.S. PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,651,791	11-2003	Nykoluk et al.	190/18A
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

**FOREIGN PATENT DOCUMENTS**

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N	GB2337986	08-1999	United Kingdom	Lowenstein	A45C 13/26
	O					
	P					
	Q					
	R					
	S					
	T					

**NON-PATENT DOCUMENTS**

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

\*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)  
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

# (12) UK Patent Application (19) GB (11) 2 337 986 (13) A

(43) Date of A Publication 08.12.1999

(21) Application No 9921900.8

(22) Date of Filing 16.10.1996

Date Lodged 17.09.1999

(30) Priority Data

(31) 9603965

(32) 24.02.1996

(33) GB

(62) Divided from Application No 9621608.4 under Section 15(4) of the Patents Act 1977

(71) Applicant(s)

Moveasy International Limited

(Incorporated in the British Virgin Islands)

PO Box 71, Craigmuir Chambers, Roadtown, Tortola,  
British Virgin Islands

(72) Inventor(s)

Frank Lowenstein

(51) INT CL<sup>6</sup>

A45C 13/26 5/14

(52) UK CL (Edition Q )

B8P PH2 PW

A4G G5F1 G5T1

(56) Documents Cited

US 5482147 A

US 5452778 A

US 5374073 A

US 5295565 A

US 5291976 A

US 4618035 A

(58) Field of Search

UK CL (Edition Q ) A4G , B8P PH2 PW

INT CL<sup>6</sup> A45C 5/00 5/14 13/22 13/26 13/28 , B62B 1/12

ONLINE:WPI,EDOC,JAPIO

(74) Agent and/or Address for Service

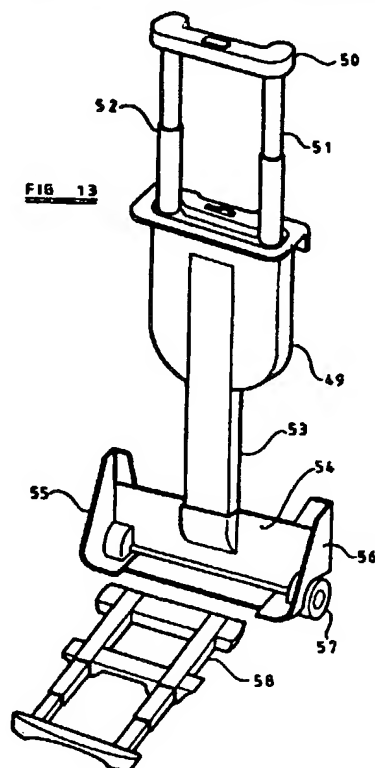
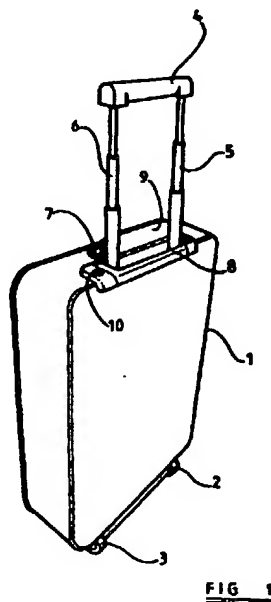
A R Davies & Co

27 Imperial Square, CHELTENHAM, Gloucestershire,  
GL50 1RQ, United Kingdom

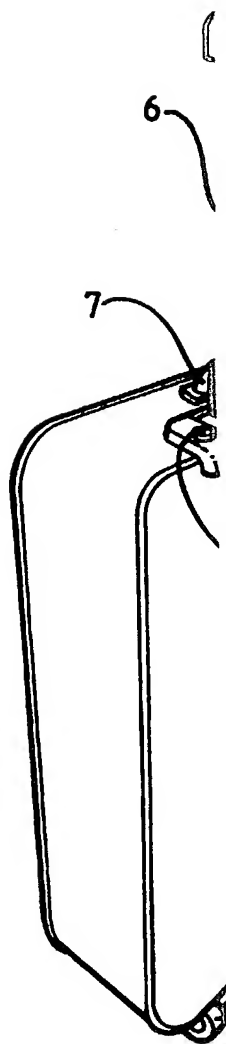
(54) Abstract Title

Wheeled luggage

(57) A luggage trolley comprises an item of luggage (1) with wheels (2,3) at the lower end which permit it to be towed when tilted by a telescopic handle (4) at the upper end. A generally rigid housing (8) is secured to the luggage for containing or including the handle and at least one telescopic member (5,6) which is thereby substantially protected from mechanical damage by the housing. Alternatively, particularly for non-rigid luggage, the handle (50) may be borne by a housing (49) connected by a support member (53) to a strut (54) bearing the wheels (57).



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FIG 2

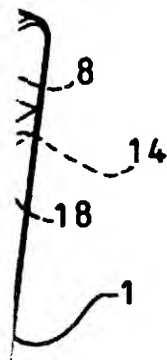
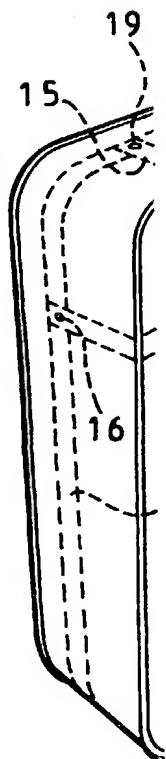
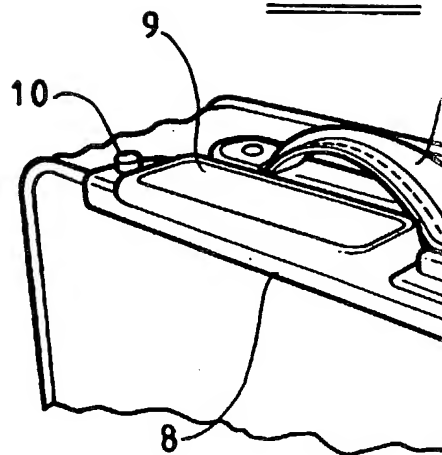
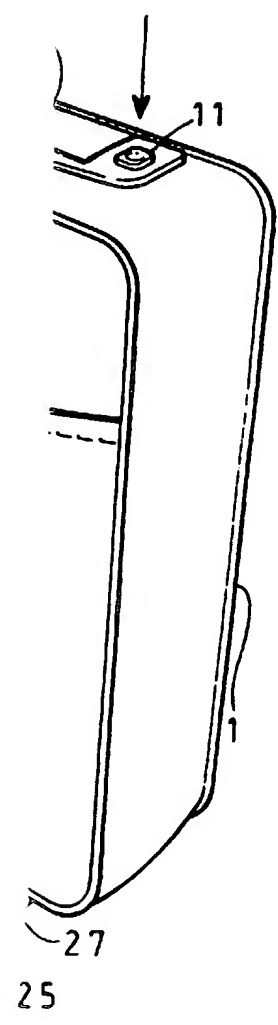
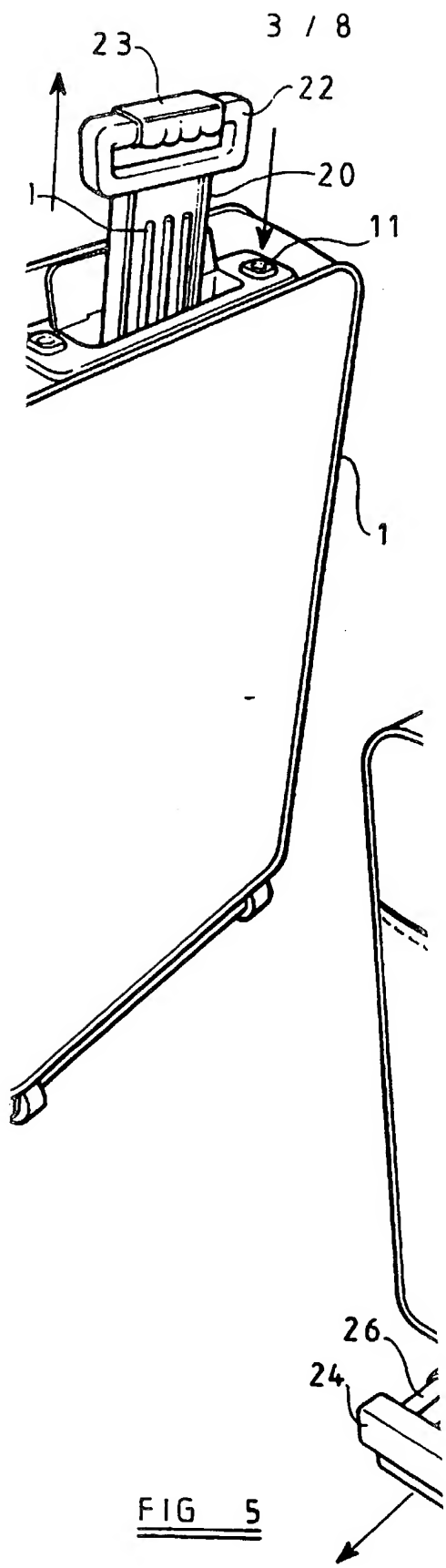


FIG 3







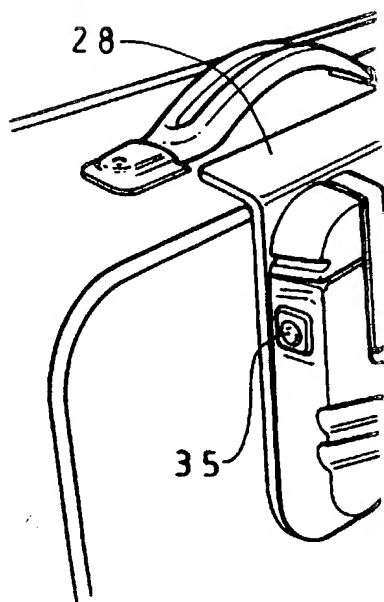
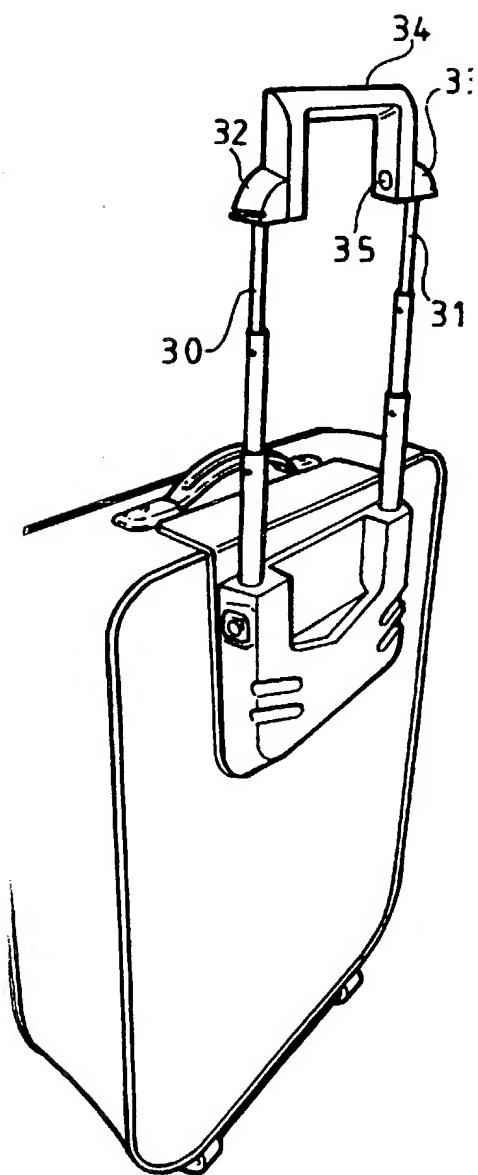


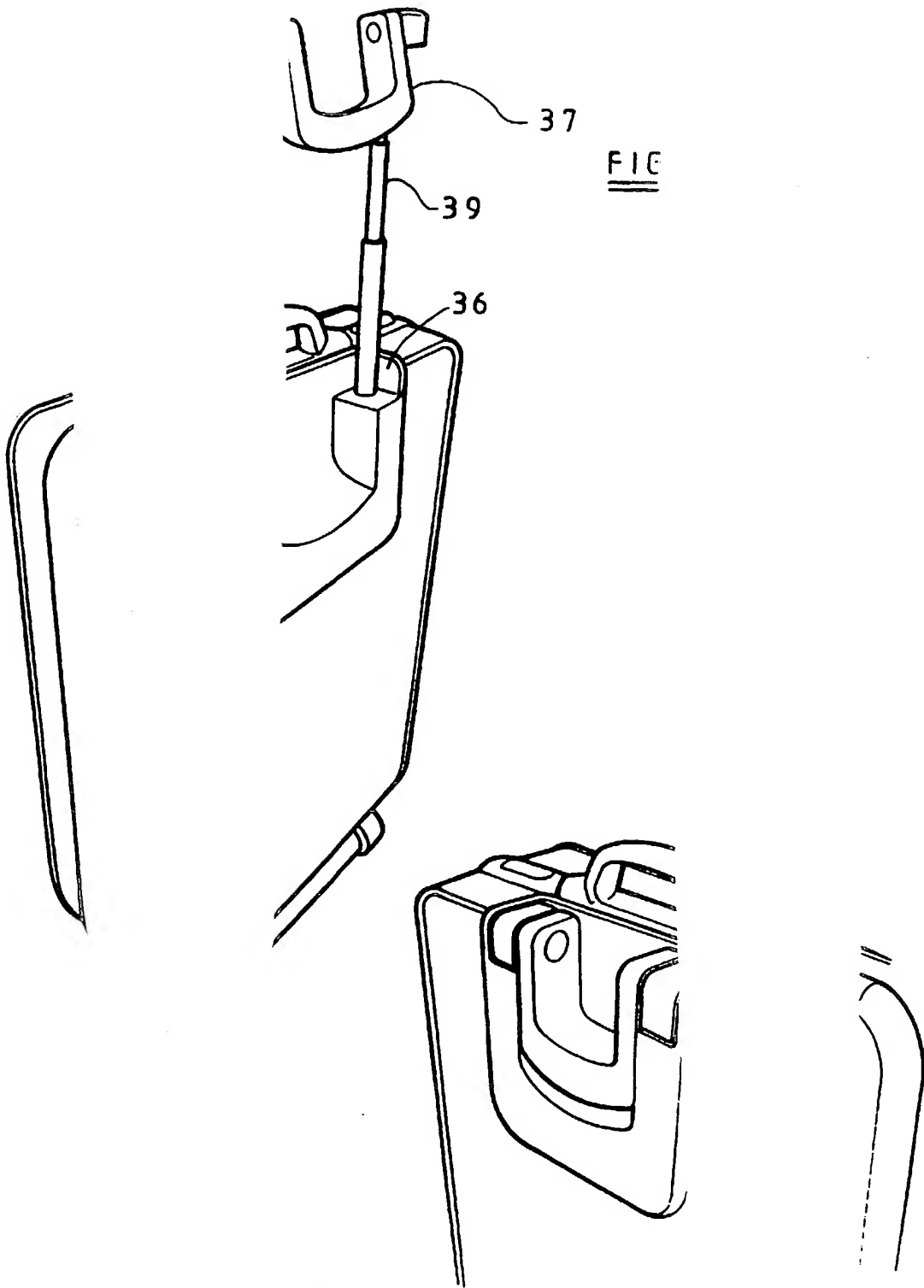
FIG 7

FIG 6

1

29





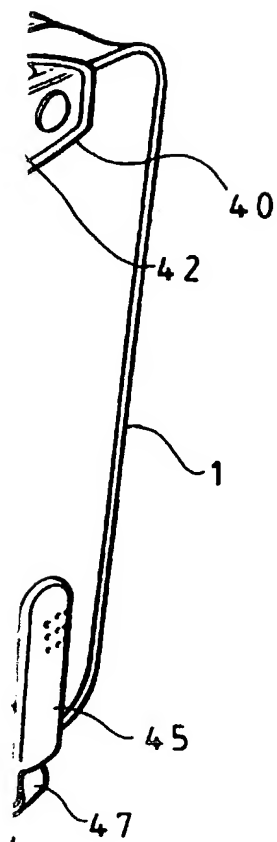
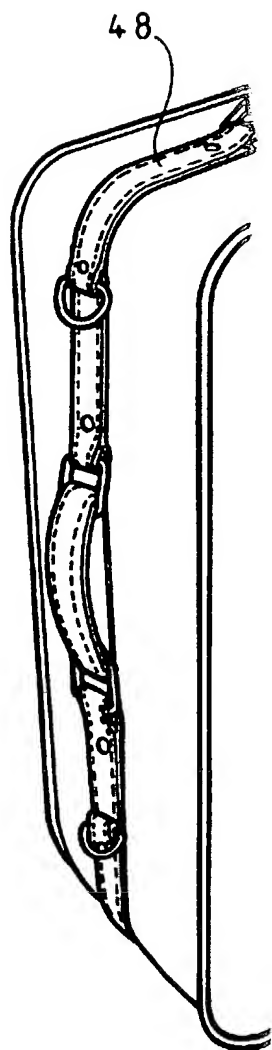
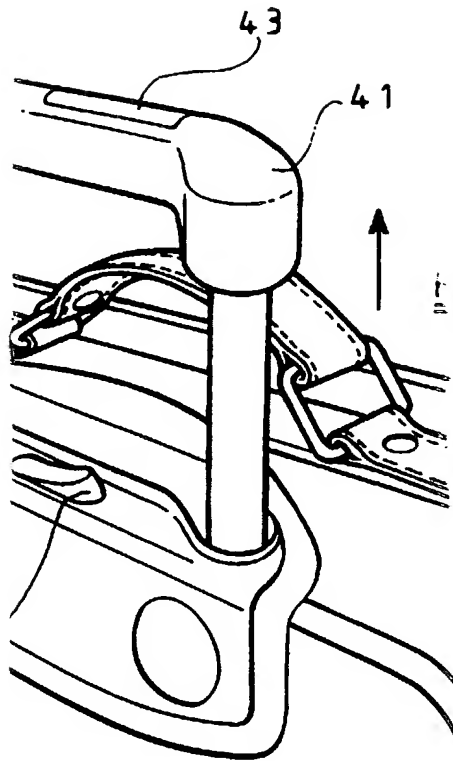
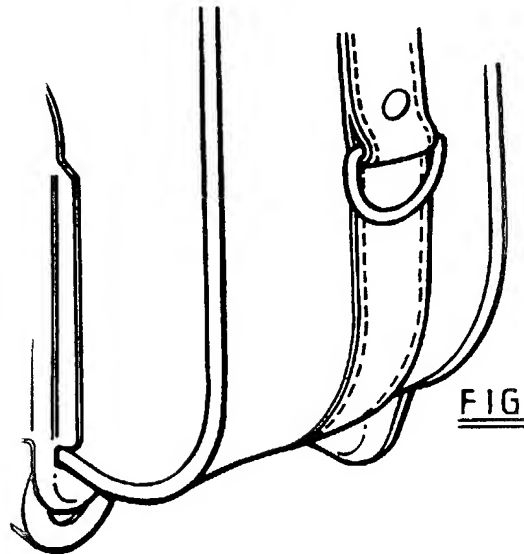


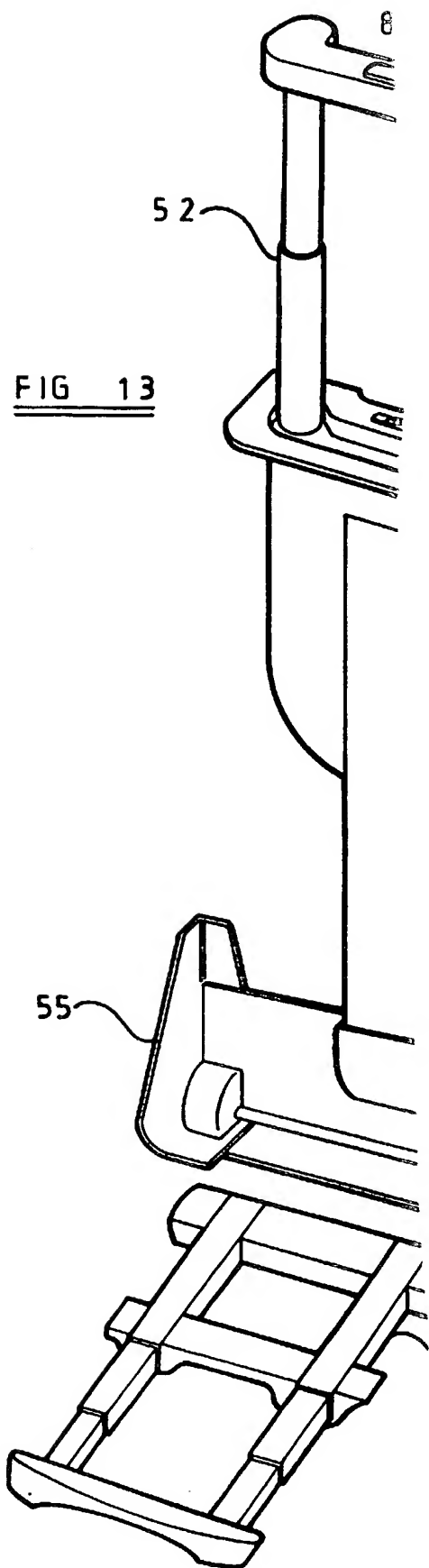
FIG 1

//



//





## IMPROVEMENT

This invention  
luggage, such  
luggage, and a  
aid of a collapsible

Collapsible luggage  
typically made  
prevent or inhibit  
soft-sided varieties  
other end of which  
stored inside or  
means of a conventional  
compartment of a  
tubular frame is  
handle and the wheels  
externally. If the  
handle from its storage  
easily tow the luggage

## ING TO A COLLAPSIBLE TROLLEY

luggage trolleys of the type which incorporate a conventional handle for  
h the luggage may alternatively be towed  
arrangement.

type may be either soft-sided or hard-sided  
material designed to withstand shock and  
impacts of the item of luggage. If the luggage  
is normally attached to a rigid tubular frame  
it may be telescoped outwards for use as a  
handle for the luggage so that it can be carried by hand  
or towed away, for example, in the baggage compartment of a vehicle.  
certain known kinds of hard-sided luggage  
the inner wall of one side of the luggage so  
the upper and lower ends of the luggage are  
connected to be towed it is a simple matter to retract  
the handle inwards so as to permit the luggage to be  
towed and by use of the wheels.

vantage of such known kinds of col  
of the handle to be telescoped outwa

: light weight is essential the telesco  
: are usually made of aluminium or a  
he luggage is of the soft-side type and  
age, they are prone to damage such t  
lly into its usable position, or if the c  
ed, difficulty arises in restoring the ha

with hard-sided luggage this problem is  
ing or unloading items from the inside  
r members.

her disadvantage of such known types c  
r members are somewhat unsightly and  
wise be used for storing items inside the  
the luggage takes in a storage compartm  
roplane if the tubular members are on the

an object of the present invention to obviate  
advantages.

they all rely upon the  
ed inwardly for

the handle for this  
material. Especially  
s are on the outside of  
difficult to telescope  
hilst it has been so  
ion.

d because carelessness  
result in damage to the

e trolleys is that the  
nal space which may  
icing the amount of total  
ggage compartment of

ie foregoing



According to  
luggage, whe  
permit the lug  
one telescopa  
wheel means,  
housing adapte  
the at least one  
position inside  
member is sub:  
handle may be

Preferably, the l  
lid which is spri  
member and the  
visible when the  
permanently exp  
formed with reces  
it does not protrude  
housing also inclu  
move it from its sto.

provided a luggage trolley compris  
ne side and at one end of the luggage  
tilted, and a collapsible handle sec  
ed at or near the end of the luggage  
ie trolley comprises or includes a ge  
luggage for containing or including  
; the handle being movable between  
sing, in which position the or each te  
the housing, and an extended positio.  
cm of luggage via the wheel means.

id plastics material and includes an o  
ed position so that when the or each te  
stored positions within the housing, they  
alternative embodiment, the handle ma  
urface of the housing which may preferai  
the handle to be stored in a contiguous m  
ig itself. Preferably, with such an arrange  
cesses to permit the user of the handle to g  
its working position. Conveniently, the han

hinge means so that it may be hinged  
along the or each telescopic member

the housing is to be used with hard-sided  
side thereof, or alternatively affixed  
appropriately shaped aperture permitting the  
to be moved from stored to open position

the item of luggage is of the soft-sided  
to a rigid support member secured to the  
housing and the to provide rigidity. It will  
fully protect the or each telescopic member  
support member will not affect the operation

embodiment will now be described, by way of  
illustration, referring to the accompanying  
drawings in which:

Figure 1 is an upper perspective view of  
the trolley in a first embodiment

housing and then pulled

conveniently be affixed  
to the luggage adjacent  
each telescopic member

preferably be  
between the luggage between  
because the housing  
deformation caused to such a

reference to the

one side of a luggage

Figure 1 is a perspective view corresponding to that of Figure 2, showing the general arrangement of the handle means and how it is attached to the housing.

Figure 3 is a perspective view of the upper end of the luggage trolley in which the handle means is collapsed inwardly,

Figure 4 is a perspective view of the upper end of the luggage trolley similar to that of Figure 1 but showing a second embodiment of the handle means.

Figure 5 is a perspective view similar to that of Figure 4 but in which the handle means is shown in a different position.

Figure 6 is a perspective view of a second embodiment of the invention,

Figure 7 is a perspective view of the luggage trolley of Figure 6 showing the handle means in a collapsed position and fully extended position,

Figure 8 is a perspective view of a fourth embodiment of the invention,

Figure 9 is a perspective view of the luggage trolley of Figure 8 showing the handle means in a collapsed position relative to the housing,

Figure 10 shows a perspective view of

the invention,

Figure 11 is a part perspective detail view

showing means of

Figure 10,

Figure 12 is a part perspective detail view

of the luggage of

Figure 10, and

Figure 13 is a part cut-out perspective view

of the

invention.

Now to Figures 1 - 3, a first embodiment

shown in which the

luggage trolley comprises a generally

offset-sided (i.e. non-

rectangular) luggage (1) having at its lower end a pair of

wheels (2), (3) and at its upper

end a collapsible handle (4) secured to a pair of

wheels (5), (6) each in the

form of concentric tubes having cooperating

means by which the

wheels (5), (6) are limited as to the extent of the

rotation in the manner as

shown in the drawings.

A telescopic handle (7) is secured to the upper surface

of the luggage (1) so

that the luggage may be carried rather than rolled by the wheels (2), (3), which is preferred.

The collapsible  
generally rigid h  
hinged to the side  
normally remain

embers (5), (6) are each receivable  
) which includes an openable upper  
cent to the handle (7) and spring-b  
own in Figure 3.

The tubular mem  
shown in Figures  
upper surface of t  
and tubular memb  
that the lid (9) is al  
opposite upper sur  
unlocks the spring  
to automatically mo  
position shown in Fi

by spring means (not shown) to the  
sed by means of a locking button (1  
ion of which permits the collapsible  
ed downwardly into the housing (8)  
position as shown in Figure 3. Simi  
) is a further button (11), depression  
apsible handle (4) and tubular membe  
spect to the item of luggage (1) to assi

Turning now to Figure  
from rocking relative  
of spring steel bands (2  
item of luggage (1), respec  
means of rivets (16), (17), (18),

the means by which the housing (8) is  
item of luggage (1). This is achieved with  
15) which are secured to the inner surface o  
f the housing (8) and with respect to each other  
). Only some of the steel bands and rivets are shown



way as that shown  
handle (22) and tele  
button (11) permit  
(22) and telescopic  
(9) assume its close

ession of the locking button (10)  
assume the position shown in Fig  
of the reverse sequence whereby  
me a position inside the housing a  
figure 5.

In Figure 5 there is a  
invention in which a  
members (25), (26) ex  
strength there is a cen  
tubes .

ement of the second embodiment c  
: bottom rail (24) is secured to tele  
: circular concentric tubes and for ac  
/) in the form of a pair of generally f

Between the button (11)  
the bottom rail (23) may  
Figure 5 when button (11)

is a cable (not shown) which provides  
its stored to the open position shown in

Turning now to Figures 6 and 7  
invention in which in this instance  
of the item of soft-sided luggage or

on a further alternative embodiment of the  
possible handle means is secured to the outside  
shaped plate (28) secured by rivets to steel  
bands inside the item of luggage (1) in a similar manner to that shown in Figure 2. In this  
embodiment the plastic housing (29) has a generally U-shaped appearance with each arm  
of the "U" being used to store telescopic members (30), (31), shown in Figure 7. At

ends of each of the tubular members in each of which is swivellably secured a hinge pin (35) (only one of which is shown receiving the handle (34) in a stored position) may be easily locked in place by a lock (36) is provided to allow the handle (34) to be moved down in Figure 7 once the telescopic

hinge joints (32), the handle (34) by means of a release (29) includes a handle (34) shown in Figure 6, in which the handle (34) is shown in a stored position (shown). A release (29) is provided to allow the handle (34) to be moved down in Figure 7 once the telescopic members are fully extended.

Now to Figures 8 and 9 there is shown an embodiment of the invention specifically adapted for hard-sided luggage. In this embodiment the luggage (1) is made of rigid plastics. In this embodiment the luggage (1) includes a housing (36) generally similar to that shown in Figure 6 and 7 but secured to the luggage (1) by a correspondingly shaped aperture in the luggage (1). A swivellable handle (37) is again provided and is secured to the ends of members of (38), (39) and arranged such that in Figure 8 the handle (37) assumes a contiguous position with the housing (36). On the inside of the luggage (1) the housing (36) is covered by a smooth plastics cover which protects the tubular members (38), (39) from damage which may otherwise occur when loading or unloading items from the luggage (1).

(1) Because, in this embodiment, the item of luggage (1) is made of a hard-sided plastics material its inherent rigidity is sufficient to obviate the need to secure the housing (36) to other reinforcing means such as steel bands etc. This is particularly



advantageous

is therefore essentially independent

and the rest of

it is in modular form, damage to

the luggage (1)

ability.

In Figures 10

embodiment of the invention is shown

suitcase (1) is

plastics housing (40), again incorporated

handle means (41)

into its open position as shown

when not in use

position shown in Figure 10 by means

releasable catch

switch (42) which, when pressed, actuates

releases the handle

own in figure (11). On the upper surface

handle (41) is a

(43) such that to move the handle (41)

closed position it

to press the button (43) and push down

(41) into its closed

locked in place.

A further feature of

in Figures 10 - 12 is a pair of elongate

plastics wheel housings

the lower end of the suitcase which provide

functions, the first being

protection for respective wheels (46), (47). The

second function serves to protect the side of the suitcase (1) shown from damage when

is being rolled up or down stairs once the wheel housings (44), (45) are sufficiently long

enough to ensure that when the suitcase (1) is tilted they protect it from shock or

abrasion by contact with the leading edges of the stairs.

or feature of the embodiment shown  
rivets to the outer side panels of  
which the suitcase (1) may be carried  
articles may be attached.

continuous strap  
ating handles and  
urations or to

there is shown a further alternative  
larly the suitcase is not shown. In the  
) for a handle (50) supported on the  
hereof an elongated plastics support  
on rigid structure of the suitcase. The  
into a correspondingly shaped aperture  
ut (54) on each end of which are respec  
ng respective wheels (57), only one of w  
ent that the structure defined by the eleme  
onal two-wheeled trolley even though it is a  
wise conventional item of luggage. A bottom  
to the underside of the item of luggage and may be  
al items of luggage may be carried as required thereon.

ention but in  
ective plastics  
(52) includes at the  
le rigidity to the  
d support member  
aped transverse  
ousings (55), (56)  
ill be seen in this  
espond to a  
structure defined by  
so provided which is  
ped outwardly so that

The invention in its several embodiments thus provides an elegant and simple solution to problems associated with damage to collapsible tubular members which are necessary in order to make it easy for the user to tow items of luggage via wheels. In particular, the use of a modular housing which may be fixed inside or outside the item of luggage

provides the  
consequent  
permitting the  
in the event

ed to fit luggage of all shapes and  
manufacturing costs, whilst at the same  
ous component parts and facilitat

CL

A luggage trolley adapted to luggage comprising  
generally "L"-shaped strut on each end wheel housings and  
a rigid support member secured to transversely to the  
lateral axis thereof, and a generally rigid the support member  
extending from the strut containing or includ- at least one telescopable  
ing the handle being moveable between inside or adjacent to the  
housing, in which position the or each telescop- substantially protected by  
the handle may be used for towing the  
luggage via the wheel means.

A luggage trolley comprising an wheel means disposed  
on one side and at one end of the luggage and adapted to the luggage to be towed  
in a tilted position, and a collapsible handle secured to a telescopable member and  
disposed at or near the end of the luggage remote from the wheel means,  
CHARACTERISED IN THAT the trolley comprises or includes a generally rigid housing  
adapted to be secured to the luggage for containing or including the handle and the at  
least one telescopable member, the handle being moveable between a stored position  
20 inside or adjacent to the housing, in which position the or each telescopable member is  
substantially protected by the housing, and an extended position in which the handle may  
be used for towing the item of luggage via the wheel means.

3. A luggage trolley according to Claim 1 or Claim 2 further characterised in





No: GB 9921900.8  
 rched: 1 to 9

Mike Henderson  
 28 September 1999

**Act 1977**  
**Report under Section 17**

**Searched:**

Office collections, including GB, A  
 1 (Ed.Q): B8P (PH2 PW) A4G  
 1 (Ed.6): A45C 5/00 5/14 13/22  
 ONLINE:WPI,EDOC,JAPIO

Specifications, in:

2

**Documents considered to be relevant:**

Identity of document and relevant passages:

			Relevant to claims
	US 5482147	(WANG) (See particularly 1)	1,2,4, 5 & 7
	US 5452778	(WANG) (See particularly 3 & 8)	1,2 & 7
	US 5374073	(HUNG-HSIN) (See particularly 1 to 3)	1,2 & 7
	US 5295565	(LATSHAW) (See particularly 7)	1,2 & 7
X	US 5291976	(KU) (See particularly Figs 1 & 6)	1,2 & 7
X	US 4618035	(MAO) (See particularly Figs 1,2 & 10)	1,2 & 7

X Document indicating lack of novelty or inventive step  
 Y Document indicating lack of inventive step if combined with one or more other documents of same category.

& Member of the same patent family

A Document indicating technological background and/or state of the art.  
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## USPTO TO PROVIDE ELECTRONIC ACCESS TO CITED U.S. PATENT REFERENCES WITH OFFICE ACTIONS AND CEASE SUPPLYING PAPER COPIES

In support of its 21<sup>st</sup> Century Strategic Plan goal of increased patent e-Government, beginning in June 2004, the United States Patent and Trademark Office (Office or USPTO) will begin the phase-in of its E-Patent Reference program and hence will: (1) **provide downloading capability of the U.S. patents and U.S. patent application publications cited in Office actions** via the E-Patent Reference feature of the Office's Patent Application Information Retrieval (PAIR) system; and (2) **cease mailing paper copies of U.S. patents and U.S. patent application publications with Office actions** (in applications and during reexamination proceedings) except for citations made during the international stage of an international application under the Patent Cooperation Treaty (PCT). In order to use the new E-Patent Reference feature applicants must: (1) obtain a digital certificate and software from the Office; (2) obtain a customer number from the Office; and (3) properly associate patent applications with the customer number. Alternatively, copies of all U.S. patents and patent application publications can be accessed without a digital certificate from the USPTO web site, from the USPTO Office of Public Records, and from commercial sources. The Office will continue the practice of supplying paper copies of foreign patent documents and non-patent literature with Office actions. Paper copies of cited references will continue to be provided by the USPTO for international applications during the international stage.

### Schedule

June 2004	TCs 1600, 1700, 2800 and 2900
July 2004	TCs 3600 and 3700
August 2004	TCs 2100 and 2600

All U.S. patents and U.S. patent application publications are available on the USPTO web site. However, a simple system for downloading the cited U.S. patents and patent application publications has been established for applicants, called the E-Patent Reference system. As E-Patent Reference and Private PAIR require participating applicants to have a customer number, retrieval software and a digital certificate, all applicants are strongly encouraged to contact the Patent Electronic Business Center to acquire these items. To be ready to use this system by June 1, 2004, contact the Patent EBC as soon as possible by phone at 866-217-9197 (toll-free), 703-305-3028 or 703-308-6845 or electronically via the Internet at [ebc@uspto.gov](mailto:ebc@uspto.gov).

### **Other Options**

The E-Patent Reference function requires the applicant to use the secure Private PAIR system, which establishes confidential communications with the applicant. Applicants using this facility must receive a digital certificate, as described above. Other options for obtaining patents which do not require the digital certificate include the USPTO's free Patents on the Web program (<http://www.uspto.gov/patft/index.html>). The USPTO's Office of Public Records also supplies copies of patents for a fee (<http://ebiz1.uspto.gov/oems25p/index.html>). Commercial sources also provide U.S. patents and patent application publications.

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## Summary

The United States Patent and Trademark Office (Office or USPTO) plans in the near future to:

- (1) cease mailing copies of U.S. patents and U.S. patent application publications (US patent references) with Office actions except for citations made during the international stage of an international application under the Patent Cooperation Treaty and those made during reexamination proceedings; and
- (2) provide electronic access to, with convenient downloading capability of, the US patent references cited in an Office action via the Office's private Patent Application Information Retrieval (PAIR) system which has a new feature called "E-Patent Reference."

Before ceasing to provide copies of U.S. patent references with Office actions, the Office shall test the feasibility of the E-Patent Reference feature by conducting a two-month pilot project starting with Office actions mailed after December 1, 2003. The Office shall evaluate the pilot project and publish the results in a notice which will be posted on the Office's web site ([www.USPTO.gov](http://www.USPTO.gov)) and in the Patent Official Gazette (O.G.). In order to use the new E-Patent Reference feature during the pilot period, or when the Office ceases to send copies of U.S. patent references with Office actions, the applicant must: (1) obtain a digital certificate from the Office; (2) obtain a customer number from the Office, and (3) properly associate applications with the customer number. The pilot project does not involve or affect the current Office practice of supplying paper copies of foreign patent documents and non-patent literature with Office actions. Paper copies of references will continue to be provided by the USPTO for searches and written opinions prepared by the USPTO for international applications during the international stage and for reexamination proceedings.

## Description of Pilot Project to Provide Electronic Access to Cited U.S. Patent References

On December 1, 2003, the Office will make available a new feature, E-Patent Reference, in the Office's private PAIR system, to allow more convenient downloading of U.S. patents and U.S. patent application publications. The new feature will allow an authorized user of private PAIR to download some or all of the U.S. patents and U.S. patent application publications cited by an examiner on form PTO-892 in Office actions, as well as U.S. patents and U.S. patent application publications submitted by applicants on form PTO/SB08 (1449) as part of an IDS. The retrieval of some or all of the documents may be performed in one downloading step with the documents encoded as Adobe Portable Document format (.pdf) files, which is an improvement over the current page-by-page retrieval capability from other USPTO systems.



## **Steps to Use the New E-Patent Reference Feature During the Pilot Project and Thereafter**

Access to private PAIR is required to utilize E-Patent Reference. If you don't already have access to private PAIR, the Office urges practitioners, and applicants not represented by a practitioner, to take advantage of the transition period to obtain a no-cost USPTO Public Key Infrastructure (PKI) digital certificate, obtain a USPTO customer number, associate all of their pending and new application filings with their customer number, install no-cost software (supplied by the Office) required to access private PAIR and E-Patent Reference feature, and make appropriate arrangements for Internet access. The full instructions for obtaining a PKI digital certificate are available at the Office's Electronic Business Center (EBC) web page at: <http://www.uspto.gov/ebc/downloads.html>. Note that a notarized signature will be required to obtain a digital certificate.

To get a Customer Number, download and complete the Customer Number Request form, PTO-SB125, at: <http://www.uspto.gov/web/forms/sb0125.pdf>. The completed form can then be transmitted by facsimile to the Electronic Business Center at (703) 308-2840, or mailed to the address on the form. If you are a registered attorney or patent agent, then your registration number must be associated with your customer number. This is accomplished by adding your registration number to the Customer Number Request form. A description of associating a customer number with an application is described at the EBC web page at: [http://www.uspto.gov/ebc/registration\\_pair.html](http://www.uspto.gov/ebc/registration_pair.html).

The E-Patent Reference feature will be accessed using a new button on the private PAIR screen. Ordinarily all of the cited U.S. patent and U.S. patent application publication references will be available over the Internet using the Office's new E-Patent Reference feature. The size of the references to be downloaded will be displayed by E-Patent Reference so the download time can be estimated. Applicants and registered practitioners can select to download all of the references or any combination of cited references. Selected references will be downloaded as complete documents as Adobe Portable Document Format (.pdf) files. For a limited period of time, the USPTO will include a copy of this notice with Office actions to encourage applicants to use this new feature and, if needed, to take the steps outlined above in order to be able to utilize this new feature during the pilot and thereafter.

During the two-month pilot, the Office will evaluate the stability and capacity of the E-Patent Reference feature to reliably provide electronic access to cited U.S. patent and U.S. patent application publication references. While copies of U.S. patent and U.S. patent application publication references cited by examiners will continue to be mailed with Office actions during the pilot project, applicants are encouraged to use the private PAIR and the E-Patent Reference feature to electronically access and download cited U.S. patent and U.S. patent application publication references so the Office will be able to objectively evaluate its performance. The public is encouraged to submit comments to the Office on the usability and performance of the E-Patent Reference feature during the pilot. Further, during the pilot period registered practitioners, and applicants not represented by a practitioner, are encouraged to experiment with the feature, develop a proficiency in using the feature, and establish new internal processes for using the new access to the cited U.S. patents and U.S. patent application publications to prepare for the anticipated cessation of the current Office practice of supplying copies of such cited

references. The Office plans to continue to provide access to the E-Patent Reference feature during its evaluation of the pilot.

### Comments

Comments concerning the E-Patent Reference feature should be in writing and directed to the Electronic Business Center (EBC) at the USPTO by electronic mail at [eReference@uspto.gov](mailto:eReference@uspto.gov) or by facsimile to (703) 308-2840. Comments will be posted and made available for public inspection. To ensure that comments are considered in the evaluation of the pilot project, comments should be submitted in writing by January 15, 2004.

Comments with respect to specific applications should be sent to the Technology Centers' customer service centers. Comments concerning digital certificates, customer numbers, and associating customer numbers with applications should be sent to the Electronic Business Center (EBC) at the USPTO by facsimile at (703) 308-2840 or by e-mail at [EBC@uspto.gov](mailto:EBC@uspto.gov).

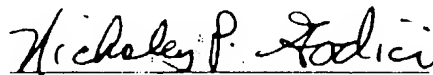
### Implementation after Pilot

After the pilot, its evaluation, and publication of a subsequent notice as indicated above, the Office expects to implement its plan to cease mailing paper copies of U.S. patent references cited during examination of non provisional applications on or after February 2, 2004; although copies of cited foreign patent documents, as well as non-patent literature, will still be mailed to the applicant until such time as substantially all applications have been scanned into IFW.

### For Further Information Contact

Technical information on the operation of the IFW system can be found on the USPTO website at <http://www.uspto.gov/web/patents/ifw/index.html>. Comments concerning the E-Patent Reference feature and questions concerning the operation of the PAIR system should be directed to the EBC at the USPTO at (866) 217-9197. The EBC may also be contacted by facsimile at (703) 308-2840 or by e-mail at [EBC@uspto.gov](mailto:EBC@uspto.gov).

Date: 12/1/03



Nicholas P. Godici  
Commissioner for Patents

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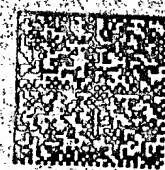
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